

1 OF 5

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RECEIVED

NATHANIEL SHAW,
PLAINTIFF,

v.

D. T. MARSHALL, et al.,
DEFENDANTS.

2008 APR 23 A 9:57

DEBRA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA

CASE NO. 2:07-CV-00606-ID-CSC

MOTION FOR LEAVE TO FILE AN OBJECTION TO
RECOMMENDATION OF THE MAGISTRATE JUDGE

COMES NOW THE PLAINTIFF NATHANIEL SHAW, (PRO SE)
IN ACCORDANCE WITH THE FEDERAL RULES OF CIVIL
PROCEDURE AND PURSUANT TO THE APPROPRIATE RULE
AND AUTHORITY GOVERN BY THE CONSTITUTION OF THE
UNITED STATES OF AMERICA, TO ENTER THE PLAINTIFF
OBJECTION TO THE RECOMMENDATION OF THE MAGISTRATE
JUDGE THAT SHALL BE SET FORTH IN THIS MOTION.

GROUND IN OBJECTION

THE PLAINTIFF NATHANIEL SHAW, (PRO SE)
WITH ALL DUE RESPECT TO THIS HONORABLE COURT
IN THE RECOMMENDATION OF THE MAGISTRATE
JUDGE IN THE RECOMMENDATION OF A JURY TRIAL
IN FAVOR OF THE PLAINTIFF. THE PLAINTIFF

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WOULD FIRST OBJECT TO THE CONSOLIDATION SHAW'S COMPLAINT (DOC. NO. 1) AND AMENDMENTS TO HIS COMPLAINT (DOC. NO. 30) DUE TO THE FACT THAT IN THE DEFENDANTS DESTRUCTION OF AN (EXHIBIT A) TO PLAINTIFF ORIGINAL COMPLAINT SHOW THAT REQUISITE INJURY HAS BEEN SUFFERED AND THE PLAINTIFF HAS BEEN DENIED ACCESS TO THE COURT, WHERE THE PLAINTIFF STATES IN HIS COMPLAINT (SEE EXHIBIT A) AND THERE IS NO (EXHIBIT A) TO SEE DUE TO THE FACT THE DEFENDANTS HAS SHREDDED IT. THE PLAINTIFF WILL STATE THAT THE FACTS AREN'T CORRECT. THE PLAINTIFF ASSERT THAT THERE ARE NO EFFECTIVE MEANS TO EXHAUST ADMINISTRATIVE REMEDIES. THE PLAINTIFF MOTION THIS HONORABLE COURT IN OBJECTION MARCH 20, 2008 (COURT DOC. NO. 74) IN WHICH THE PLAINTIFF SEEKS TO FILE A RESPONSE IN OPPOSITION TO THE DEFENDANTS FEBRUARY 22, 2008 RESPONSE, WHICH THIS HONORABLE COURT GRANTED (DOCUMENT #: 75-1) DATE FILED 03/21/2008 SIGNED BY CHIEF UNITED STATES MAGISTRATE JUDGE THE HONORABLE CHARLES S. COODY. ORDER ON MOTION (DOCUMENT #: 76-1) DATE FILED: 03/21/2008 (1.) THE MOTION TO COMPEL PRODUCTION BE AND IS HEREBY GRANTED (2.) ON OR BEFORE APRIL 3, 2008, THE DEFENDANTS SHALL FURNISH TO THE PLAINTIFF THE PHOTOGRAPH ATTACHMENT ON SEPTEMBER 5, 2007 AND A COPY OF THE

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RESPONSE AND EXHIBIT FILE ON FEBRUARY
22, 2008 SIGNED BY THE HONORABLE CHARLES
S. COODY CHIEF UNITED STATES MAGISTRATE
JUDGE (DOCKET ENTRY # 02/22/2008).

Pg. 29 OF 31 RECOMMENDATION OF THE MAGISTRATE JUDGE

V. CONCLUSION

THE PLAINTIFF OBJECTION TO CONLUSION NO.#1
BECAUSE THE MONTGOMERY COUNTY DETENTION
FACILITY DEFENDANTS HAVE NOT COMPLIED
WITH THE ORDER PREVIOUSLY ENTERED ON
03/21/2008 AND SUMMARY JUDGMENT CANNOT
BE GRANTED.

Pg. 30 OF 31 CONCLUSION NO. #3 THE PLAINTIFF
OBJECTION TO THE GRANTING SUMMARY JUDGMENT
ON DOC. NOS. # 22, 23, 41, 47, 48, 49 IS OBJECTED
TO BECAUSE . . . HOW CAN YOU EXHAUST
ADMINISTRATIVE REMEDIES THAT YOU HAVE
NOT BEEN GIVEN NOTICE OF.

THE PLAINTIFF BEING ONLY A LAYMAN
AT LAW AND NOT WANTING TO BE MISUNDERSTOOD
IN ANY MANNER AND WITH ALL DUE RESPECT
TO THIS HONORABLE COURT IN ITS RENDERING
THE GRANTING OF A JURY TRIAL ON THE
MAIN ISSUE FOR WHICH I DO THANK GOD.
HOWEVER, THERE ARE OTHER ISSUES INVOLVED
CONCERNING DOCTOR BATES, AND OTHER
DEFENDANTS OF THE MONTGOMERY COUNTY

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DETENTION FACILITY THAT HAS LEFT THE PLAINTIFF WITH LARGE AREAS OF SKIN DISCOLORATION THAT WILL BE VISIBLE FOR LIFE. THE PLAINTIFF OBJECT TO SUMMARY JUDGMENT BEING GRANTED ON THE ABOVE STATED REASONS WITH THE EXCEPTION OF THESE TWO DEFENDANTS SHERIFF MARSHALL AND CHIEF BAYLOR.

THE PLAINTIFF OUT OF RESPECT FOR THE (F.O.P.) AND THE AUTHORITY OF LAW WILL SUBMIT TO THE GRANTING OF SUMMARY JUDGMENT TO:

C. CLAIMS AGAINST SHERIFF MARSHALL AND CHIEF BAYLOR, THEM AND THEM ALONE AT THIS PRESENT TIME (RESPONDEAT SUPERIOR). I HUMBLY PRAY THAT THIS WHOLE MATTER CAN BE RESOLVED SOON.

IT IS SO PRAYED

UNDER THE PENALTY OF PERJURY).

DONE ON THIS 21st DAY OF APRIL 2008

RESPECTFULLY SUBMITTED

Nathaniel Shaw

NATHANIEL SHAW

89354 M.I.C.D.F.

P.O. BOX 4599

MONTGOMERY, AL

36103

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CERTIFICATE OF SERVICE

I DO HEREBY CERTIFY THAT APRIL 21st, 2008
I MAIL THE FOREGOING VIA U.S. MAIL,
FIRST-CLASS POSTAGE PREPAID, ADDRESS AS FOLLOWS:

OFFICE OF THE CLERK
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MIDDLE DISTRICT OF ALABAMA
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MONTGOMERY DISTRICT OF ALABAMA

UNITED STATES DISTRICT COURT

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